IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1674 OF 2007
IN
SUIT NO.1282 OF 2007
WITH
COURT RECEIVER'S REPORT

Hansa Chandraban Choithani & Anr. ..Plaintiffs
Versus
Madhusudan Madhavdas Sethna & Anr...Defendants

Mr.Darshan Mehta i/by Dhruve Liladhar for plaintiffs.

Mrs.Gauri Jadhav for defendant no.2.

Mr.Madhav Jamdar @ H.P.Ghadigaonkar for defendant no.1.

Mr.S.C.Mutha-representative of Parmesh Choksi present in court.

Mr.D.Deokar 1st Asstt.Court Receiver present.

Coram : A.M.KHANWILKAR,J

Date : 5th September,2007

PC

1. Counsel for the parties have handed in consent terms duly signed by the parties/constituted attorney and their respective Advocates. The parties are inviting order of disposing off Notice of Motion in terms of consent terms presented to the Court. Consent terms are taken on record and marked "X" for identification. All parties except plaintiffs and defendant no.1 are personally present in the Court. Plaintiffs are residents of United States. Their Constituted Attorney is present in Court. The wife of defendant no.1 is personally

present in Court. Notice of Motion is disposed off in terms of the Consent terms.

2. In so far as suit is concerned, it is admitted in clause-14 of the consent terms that appropriate orders will be passed after the possession of the suit property is handed over to the third party purchaser upon receipt of full consideration amount. The third party purchaser is also signatory to the consent terms and signed as confirming party. He is personally present in Court. Accordingly, motion is disposed off on the above basis.

RECEIVER'S REPORT :-

. In view of the separate order passed in Notice of Motion today, no orders are necessary on the report of the Court Receiver. The same be treated as disposed off.

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. In anticipation that the purchaser will pay the full consideration amount and possession of the suit property in turn will be handed over to report compliance and passing formal order to the present suit, stand over to 15.10.2007. To be listed under the caption "Consent terms".

(A.M.KHANWILKAR,J)